S.B.Cr.Misc. III Bail App. No. 4320/2007
(Soma Ram Vs. State of Rajasthan)

Date of order : 26/09/2007

HON'BLE MR.H.R.PANWAR, J.

Mr. H.S.Sandhu for the petitioner.

Mr. Ashok Upadhyay Public Prosecutor.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned and police investigation diary.

It is contended by learned counsel for the petitioner that similarly situated co-accused Krishan Lal, Ram Swaroop, Bhera Ram, Mahaveer, Bhagirath and Devilal have been granted bail by Co-ordinate Benches of this Court vide orders dated 04.7.2007, 27.07.2007, 3.8.2007 and 07.8.2007. There is omnibus statement and there is no specific allegation against the present petitioner causing any specific injury to the deceased Kistura Ram.

Looking to the facts and circumstances of the case and the fact that there is omnibus statement in the statement of witnesses and similarly situated co-accused have been granted bail, having considered the oral arguments advanced by both the parties, I think it just and proper to enlarge the accused petitioner on bail.

Accordingly, this bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioner Soma Ram S/o Shri Dallu Ram, be released on bail in FIR No. 408/2006 P.S. Pilibanga, district Hanumangarh, provided he executes a personal bond for a sum of Rs.

20,000/- with two sound and solvent sureties in the sum of Rs. 10,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR), J.

RP